

DATE: 10/20/16

DEPUTY CLERK

IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

UNITED STATES OF AMERICA : Case No. 3:16cr18

v.

AHMED THAMER DARWEESH AL-ANI :

STATEMENT OF FACTS

The offenses described below occurred within the Western District of Virginia, as well as other districts. This Statement of Facts briefly summarizes the facts and circumstances surrounding the defendant's criminal conduct. It does not necessarily contain all of the information obtained during this investigation and applicable to an accurate Presentence Report and Sentencing Guidelines calculation.

The defendant, Ahmed Thamer Darweesh Al-Ani, is an Iraqi-born national who was admitted to the United States in September 2013 under an immigrant visa. Once settled in the United States, the defendant took up residence in the Western District of Virginia, specifically, in Harrisonburg.

In early 2016, the defendant sought to bring an individual by the name of Firas Saeed (also known as Firas Al-Qesi and Firas Abdulrazzaq Saeed) from Iraq to the United States. On or about January 2016, the defendant authored, signed, and provided to Saeed a letter that purported to be a legitimate business invitation letter that Saeed could provide to the United States Embassy. The defendant's intent in authoring the letter was that Saeed's visa application would be approved because the letter would create the impression that Saeed was a businessman and sought to travel to the United States to conduct such business.

In the letter, the defendant stated that he was "owner of Alane LLC" and that he was "currently negotiating and signing contracts with partners in Iraq to conduct business transactions." The letter further stated that "Mr. Saeed, Firas is one of our potential partners in Iraq who would be an asset and a great help for our company in the States . . . [w]e appreciate if you would be kind enough to facilitate his entry visa." Although the defendant had registered a company by the name of Alane, LLC with the Commonwealth of Virginia, neither the defendant nor his company were negotiating and signing contracts with partners in Iraq (to include Saeed), as he had described in the letter.

On January 21, 2016, Firas Saeed went to the United States Embassy and, during his interview with the consulate officer, presented the purported business invitation letter that had

been authored and signed by the defendant. The consulate officer denied Saeed's application for a visa to travel to the United States.

On or about May 28, 2016, a Federal Bureau of Investigation undercover employee began communicating with Al Ani by telephone. The undercover told the defendant that he had an individual in Baghdad, Iraq, who was "in some kind of trouble. They are looking for him and I want to get him out of Iraq and bring him here." The defendant asked whether "there [wa]s an arrest warrant issued against him currently, okay, and his name has been flagged, right?" The undercover confirmed that as accurate. In reality, there was no such alien in Iraq, as the undercover was participating in a sting operation with the Federal Bureau of Investigation.

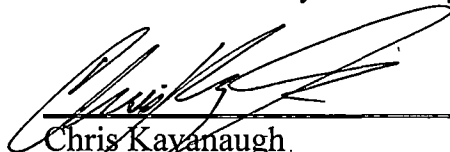
The defendant offered the undercover to "produce documentation for him in a different name – a name of a non-wanted person – and produce a passport for him." The defendant told the undercover that he would also provide a "business invitation." The defendant stated that the price of the identification, the passport, and other documentation would cost \$10,000 and the business invitation letter would cost \$5,000.

Over a series of follow-up calls, the defendant and the undercover discussed timing and logistics of the transaction. These calls were recorded and transcribed. The undercover declined the defendant's offer to produce documentation in a different name, but accepted the offer for the business invitation letter in exchange for \$5,000. The undercover provided the defendant with an email address that could be accessed by the fictitious individual in Iraq, and on the morning of June 3, 2016, the defendant sent a business invitation letter to that email account. The defendant's letter was addressed to the United States Embassy in Baghdad, and it stated that the fictitious person in Iraq was a "potential partner in Iraq who would be an asset and a great help for our company in the States . . . [w]e appreciate if you would be kind enough to facilitate his entry visa."

That afternoon, on June 3, 2016, the defendant met with the undercover employee at the Courtyard Marriot hotel, located at 638 Hillsdale Drive, Charlottesville, Virginia. During the meeting, the defendant took payment in the amount of \$5,000 in cash in exchange for providing the business invitation letter. The defendant was arrested by FBI agents on the scene. In a subsequent search of his residence, FBI agents located the a copy of the letter that was provided to Firas Saeed, which was presented to the United States Embassy on January 21, 2016.

Date: _____

9/13/2016


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